

REMARKS

This application has been carefully reviewed in light of the Office Action dated November 29, 2004. Claims 1 to 18 remain pending in the application, of which Claims 1, 2, 14, 16 and 17 are independent. Reconsideration and further examination are respectfully requested.

Applicant wishes to thank the Examiner for the indication that Claims 1 and 16 are allowable. It is noted that Claim 16 has been amended merely for informalities in the preamble and the amendments are not believed to affect the indicated allowability.

Claims 2 to 15, 17 and 18 were provisionally rejected under the judicially-created doctrine of obviousness-type double patenting over Claims 1 to 14 of U.S. Publication No. 2002/0021833 (Ohga). The rejections are respectfully traversed.

With regard to Claims 2 to 13, 15 and 18 of the subject application, the rejections are traversed since, as can clearly be seen by a comparison of those claims to Claims 1 to 14 of Ohga, Ohga's claims do not disclose or suggest the features of the "wherein clause" of Claim 2 or the additional features of Claims 15 and 18. Accordingly, the rejections of Claims 2 to 13, 15 and 18 are traversed and the Examiner is requested to reconsider and withdraw the rejections.

Moreover, the rejections are merely provisional in that none of Claims 1 to 14 of Ohga have actually been patented. Accordingly, since the claims are otherwise in condition for allowance, the provisional rejections should be withdrawn to allow the present application to pass to issue. See MPEP 804.

Nonetheless, Applicant submits that Claims 2 to 15, 17 and 18, as presented herein for examination, are non-obviously different from Claims 1 to 14 of Ohga. The non-obviousness can clearly be seen by a comparison of the amended claims to Claims 1 to

14 of Ohga. Thus, the Examiner is requested to reconsider and withdraw the provisional obviousness-type double patenting rejections.

No other matters having been raised, the entire application is believed to be in condition for allowance and such action is respectfully requested at the Examiner's earliest convenience.

Applicant's undersigned attorney may be reached in our Costa Mesa, California office at (714) 540-8700. All correspondence should continue to be directed to our below-listed address.

Respectfully submitted,



Edward A. Kmett  
Attorney for Applicant  
Registration No.: 42,746

FITZPATRICK, CELLA, HARPER & SCINTO  
30 Rockefeller Plaza  
New York, New York 10112-2200  
Facsimile: (212) 218-2200

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